

### **REMARKS**

Claims 1, 5-14 and 16-25 are now pending in the present application. Claims 1, 5, 7, 9, 10, 14, 18, 20, 21 and 25 have been amended. Claims 1 and 5 are independent. Reconsideration of this application, as amended, is respectfully requested.

#### **Objection to the Drawings**

The drawings stand objected to for minor informalities. As the Examiner will note, one (1) sheet of corrected formal drawings has been provided for the Examiner's consideration. Figures 1 and 2 have been amended to properly identify the distance  $\tau$ . Figure 2 has been amended to change "y=8" to --y=a--.

It is respectfully requested that the Examiner approve the one (1) sheet of corrected formal drawings and make them of record in the present application.

#### **Rejection Under 35 U.S.C. § 112**

Claims 1, 5-14 and 16-25 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

As the Examiner will note, the claims have been carefully reviewed and revised, taking into consideration the specific deficiencies pointed out by the Examiner. While not conceding to the

appropriateness of the Examiner's rejection, but merely to expedite prosecution, the claims have been amended in the manner suggested by the Examiner.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1, 5-14 and 16-25 are definite and clear. Accordingly, reconsideration and withdrawal of the Examiner's rejection under 35 U.S.C. § 112, second paragraph are respectfully requested.

#### **Rejections Under 35 U.S.C. §§ 102 and 103**

Claims 1, 6, 9, 10 and 16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hanya, U.S. Patent No. 5,450,885. Claims 1, 6, 9, 10 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan '304 in view of Hanya. Claims 7, 8 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan '304 in view of Hanya as applied above and further in view of Remick, U.S. Patent No. 5,127,455. Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan '304 in view of Hanya as applied above and further in view of Masaoka, U.S. Patent No. 5,690,761. Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Japan '304 in view of Hanya as applied above and further in view of Japan '907, Europe '557 or Europe '125. These rejections are respectfully traversed.

Independent claim 1 of the present invention recites an embodiment of the present invention. Independent claim 1 is directed to a vehicle tyre having a profiled tread wherein a combination of elements are recited including tread blocks having tread block edges wherein "at least the tread block edges running into the tyre contact patch and extending at an angle to the central plane of the tyre are lowered over an entire length thereof with respect to the central plateau of the respective tread

block.” Applicants respectfully submit that the references relied on by the Examiner fail to teach or suggest the presently claimed invention.

In the present invention, the tread block edges running into the tyre contact patch are the edges formed by the tyre grooves that are perpendicular to the circumferential tyre grooves. This is clear, since claim 1 recites the tread block edges “running into the tyre contact patch.” This is also clear, since claim 1 recites the tread block edges “extending at an angle to the central plane of the tyre.” In view of this, Applicants submit that the Hanya reference fails to disclose the above aspects of the present invention. Referring to Figures 1 and 3 of Hanya, the grooves G are the grooves, which extend circumferentially around the tyre. In view of this, the grooves G of Hanya do not form lowered “tread block edges running into the tyre contact patch and extending at an angle to the central plane of the tyre” as recited in independent claim 1. The grooves 20 of Hanya extend perpendicular to the grooves G. In view of this, the edges of the tread blocks which are formed by the grooves 20 would be the tread block edges “running into the tyre contact patch and extending at an angle to the central plane of the tyre” as recited in independent claim 1 of the present invention.

Referring to Fig. 2 of Hanya, it can be clearly understood that the grooves G have the S shaped tread edges. This can be understood from the “BRIEF DESCRIPTION OF THE DRAWINGS” section of Hanya which states “FIG. 2 is a cross sectional view along the axial direction of the tire, of a main circumferential groove.” There is no disclosure in the Hanya reference indicating that the tread block edges formed by the grooves 20 include an S shape as would be required to meet independent claim 1 of the present invention. In view of this, Applicants submit that the Hanya reference fails to anticipate independent claim 1 of the present invention.

Only with the construction according to the present invention, i.e., the tread block edges running into the tyre contact patch, can the desired improvements of the present invention be accomplished. Specifically, the construction according to the present invention reduces irregular wear in the form of heel and toe wear, rolling noise and rolling resistance. In the Hanya reference, the modified cross-section of the circumferential tire grooves are intended to reduce so-called pumping noise that originates from an air column formed in a hollow space confined by the circumferential groove walls and the road surface. This effect is a different or further source of noise not dealt with in the present specification. Furthermore, the teaching of Hanya has no impact on irregular wear. In view of this, the Hanya reference fails to teach or suggest the presently claimed invention.

With regard to the Examiner's reliance on the Japan '304 reference, the Examiner modifies this reference in view of the Hanya reference in order to arrive at the presently claimed invention. For the same reasons mentioned above, Applicants submit that the Hanya reference fails to disclose the recitation "tread block edges running into the tyre contact patch and extending at an angle to the central plane of the tyre are lowered over an entire length thereof with respect to the central plateau of the respective tread block" as recited in independent claim 1 of the present invention. Therefore, the modification of the Japan '304 reference in view of Hanya would also fail to render obvious the presently claimed invention.

With regard to dependent claims 6-14 and 16, Applicants respectfully submit that these claims are allowable due to their dependence upon allowable independent claim 1, as well as due to the additional recitations in these claims.

With regard to the remaining references relied on by the Examiner, these references also fail to disclose tread block edges running into the tyre contact patch having the shape as recited in independent claim 1. Accordingly, these references fail to make up for the deficiencies of Hanya and Japan '304.

In view of the above amendments and remarks, Applicants respectfully submit that claims 1, 6-14 and 16 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the Examiner's rejections under 35 U.S.C. § 102 and 103 are respectfully requested.

#### **Allowable Subject Matter**

The Examiner has indicated that claims 5 and 17-25 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and to include all the limitations of the base claim and any intervening claims. Applicants greatly appreciate the indication of allowable subject matter by the Examiner. As the Examiner will note, claim 5 has been presented in independent form including all of the limitations of independent claim 1. Accordingly, claim 5 and claims 17-25 that depend therefrom should be in condition for allowance.

#### **CONCLUSION**

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

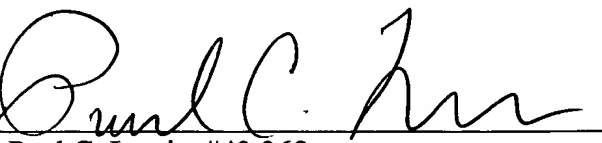
In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

Applicants respectfully petition under the provisions of 37 C.F.R. § 1.136(a) and § 1.17 for a one-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of **\$110.00** is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachments